

Application No.: 09/901,910

Docket No.: PF126P2

REMARKS

In the Communication, the Examiner alleges that Figures 1 and 11 contain sequences that are not in the sequence listing, and thus asserts that the application is not in compliance with the sequence rules. The Examiner further asserts that a new sequence listing, CRF, and statement regarding the sequence listing are required.

In response, Applicants disagree, and maintain that the Communication has been sent in error, as the application fully complies with 37 C.F.R. §§ 1.821-1.825. As discussed with the Examiner in the telephone conference of April 5, 2004, and as detailed in paragraph 0033 of the specification, the sequences depicted in Figures 1A-1B are listed in the sequence listing as SEQ ID NOS:1 and 2, and the sequences depicted in Figures 11A-11C are listed in the sequence listing as SEQ ID NOS:6 and 7. The sequence listing was properly submitted with the application as filed, along with the appropriate statement under 37 C.F.R. § 1.821(f). Accordingly, the application fully complied with the sequence rules as of the filing date, and thus Applicants respectfully submit that the instant Communication has been issued in error.

Nevertheless, as requested by the Examiner, Applicants have inserted the sequence identifiers listed in paragraph 0033 into paragraphs 0021 and 0032, so that the sequence identifiers appear in the Brief Description of the Drawings. As the Examiner indicated in the telephone conference of April 5, 2004 that such amendments would fully address the issues noted in the Communication, Applicants request that the Communication be reconsidered and withdrawn.

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CONCLUSION

Entry of the above remarks is respectfully solicited. In view of the foregoing remarks, Applicants believe that this application is now in condition for examination. The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicants would expedite the allowance of this application. If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136, such an extension is requested and the appropriate fee should also be charged to our Deposit Account.

Dated: April 19, 2004

Respectfully submitted,

By Mark J. Hyman

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